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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) Criminal No. CR 05-00438 MMC
Plaintiff,)
v.)
RUSSELL HARRISON JOHANSEN,)
Defendant.)
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**STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME**

The above-captioned matter came before the Court on February 24, 2006, to set a status hearing. The defendant was represented by James Pokorny and the government was represented by Jeffrey Finigan, Assistant United States Attorney. The matter was set for status conference on March 22, 2006, at 2:00 p.m.

The Court made a finding on the record that the time from and including February 24, 2006 through March 22, 2006, should be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), because the ends of justice served by taking such action outweighed the best

**TIME EXCLUSION STIPULATION
CR 05-00438 MMC**

1 interest of the public and the defendant in a speedy trial. That finding was based on the need for
2 the defendant to have reasonable time necessary for effective preparation, taking into account the
3 exercise of due diligence, and for continuity of counsel pursuant to 18 U.S.C.

4 § 3161(h)(8)(B)(iv).

5 The parties hereby agree to and request that the case be continued until March 22, 2006
6 and that the exclusion of time until then be granted. The parties agree and stipulate that the
7 additional time is appropriate and necessary under Title 18, United States Code, § 3161(h)(8)(A),
8 because the ends of justice served by this continuance outweigh the best interest of the public and
9 the defendant in a speedy trial. This time exclusion will allow defense counsel to effectively
10 prepare, taking into account the exercise of due diligence, and will provide for continuity of
11 counsel for the defendant.

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14 DATED: 2/27/06

Respectfully submitted,

15 KEVIN V. RYAN
16 United States Attorney

17 /s/
18 JEFFREY R. FINIGAN
19 Assistant United States Attorney

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21 DATED: 2/28/06

22 /s/
23 JAMES POKORNY
24 Attorney for Defendant

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26 Dated: March 2, 2006

